

AMENDED IN SENATE AUGUST 18, 2014

AMENDED IN SENATE JUNE 18, 2014

AMENDED IN ASSEMBLY MAY 23, 2014

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AMENDED IN ASSEMBLY APRIL 1, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 2160

Introduced by Assembly Member Ting

(Principal coauthor: Senator Hill)

**(Coauthors: Assembly Members Ammiano, Brown, Campos,
Chávez, Gonzalez, and Maienschein)**

(Coauthors: Senators Cannella, *Correa*, Evans, and Padilla)

February 20, 2014

An act to amend Section 69432.9 of the Education Code, relating to postsecondary education.

LEGISLATIVE COUNSEL'S DIGEST

AB 2160, as amended, Ting. Cal Grant Program: grade point average.

The Cal Grant Program establishes the Cal Grant A and B Entitlement Awards, the California Community College Transfer Cal Grant Entitlement Awards, the Competitive Cal Grant A and B Awards, the Cal Grant C Awards, and the Cal Grant T Awards under the administration of the Student Aid Commission, and establishes eligibility requirements for awards under these programs for participating students attending qualifying institutions.

A provision of the program specifies that the commission shall require that a grade point average be submitted, as specified, to the commission for Cal Grant A and B applicants, except for those applicants permitted to provide test scores in lieu of a grade point average.

This bill would require that, except for pupils who opt out, as specified, each pupil enrolled in grade 12 be deemed a Cal Grant applicant. The bill would ~~require, except for pupils who have opted out, as specified,~~ require that a grade point average be *submitted for all Cal Grant A and B applicants, and* submitted electronically for all grade 12 pupils at public schools, including charter schools, each academic year, ~~and all other Cal Grant A and B applicants, except those permitted, at the discretion of the commission, to submit a grade point average in a nonelectronic format or to provide test scores in lieu of a grade point average, and~~ *except for pupils who have opted out, as specified, and* would provide that grade point averages submitted shall be subject to review by the commission or its designee. The bill would require the school district or charter school, no later than October 15 of a pupil's grade 12 academic year, to notify, in writing, ~~the parent or guardian of each grade 12 pupil~~ *each grade 12 pupil and his or her parent or guardian* that the pupil will be deemed a Cal Grant applicant unless the pupil ~~is~~ *opts* opted out, and ~~provide an opportunity for that pupil to opt out~~ *would specify a procedure for opting out.* To the extent that these provisions would impose new duties on local educational agencies and community college districts, they would constitute a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 69432.9 of the Education Code is
2 amended to read:

69432.9. (a) A Cal Grant applicant shall submit a complete official financial aid application pursuant to Section 69433 and applicable regulations adopted by the commission. Each pupil enrolled in grade 12 in a California public school, *including a charter school*, other than pupils who opt out as provided in subdivision (d), shall be deemed to be a Cal Grant applicant.

(b) Financial need shall be determined to establish an applicant's initial eligibility for a Cal Grant award and a renewing recipient's continued eligibility using the federal financial need methodology pursuant to subdivision (a) of Section 69506 and applicable regulations adopted by the commission, and as established by Title IV of the federal Higher Education Act of 1965, as amended (20 U.S.C. Secs. 1070 et seq.).

(1) "Expected family contribution," with respect to an applicant or renewing recipient, shall be determined using the federal methodology pursuant to subdivision (a) of Section 69506 (as established by Title IV of the federal Higher Education Act of 1965, as amended (20 U.S.C. Secs. 1070 et seq.)) and applicable rules and regulations adopted by the commission.

(2) "Financial need" means the difference between the student's cost of attendance as determined by the commission and the expected family contribution. The calculation of financial need shall be consistent with Title IV of the federal Higher Education Act of 1965, as amended (20 U.S.C. Secs. 1070 et seq.).

(3) (A) The minimum financial need required for receipt of an initial and renewal Cal Grant A or C award shall be no less than the maximum annual award value for the applicable institution, plus an additional one thousand five hundred dollars (\$1,500) of financial need.

(B) The minimum financial need required for receipt of an initial and renewal Cal Grant B award shall be no less than seven hundred dollars (\$700).

~~(e) (1) Except for pupils who have opted out as provided in subdivision (d), the commission shall require that a grade point average be submitted electronically for all grade 12 pupils at public schools, including charter schools, each academic year, and for all other Cal Grant A and B applicants, except those permitted, at the discretion of the commission, to submit a grade point average in a nonelectronic format or to provide test scores in lieu of a grade point average.~~

~~(2) The commission shall require that each report of a grade point average be submitted by a school or school district official, with a certification by a school official, under penalty of perjury, that the grade point average reported is accurately reported. A submitted grade point average shall be subject to review by the commission or its designee.~~

~~(3) The commission shall adopt regulations that establish a grace period for receipt of the grade point average and any appropriate corrections, and that set forth the circumstances under which a student may submit a specified test score designated by the commission, by regulation, in lieu of submitting a qualifying grade point average. It is the intent of the Legislature that high schools and institutions of higher education certify the grade point averages of their students in time to meet the application deadlines imposed by this chapter.~~

~~(d) The school district or charter school shall, no later than October 15 of a pupil's grade 12 academic year, notify, in writing, the parent or guardian of each grade 12 pupil that, pursuant to subdivision (a), the pupil will be deemed a Cal Grant applicant unless the pupil opts out, and provide an opportunity for that pupil to opt out of being automatically deemed a Cal Grant applicant.~~

~~(c) (1) The commission shall require that a grade point average be submitted to it for all Cal Grant A and B applicants, except for those permitted to provide test scores in lieu of a grade point average.~~

~~(2) The commission shall require that a grade point average be submitted to it electronically for all grade 12 pupils at public schools, including charter schools, each academic year, except for pupils who have opted out as provided in subdivision (d). Social security numbers shall not be included in the information submitted to the commission. However, if the commission determines that a social security number is required to complete the application for financial aid, the school, school district, or charter school may obtain permission from the parent or guardian of the pupil, or the pupil, if he or she is 18 years of age, to submit the pupil's social security number to the commission.~~

~~(3) The commission shall require that each report of a grade point average include a certification, executed under penalty of perjury, by a school official, that the grade point average reported~~

1 *is accurately reported. The certification shall include a statement*
2 *that it is subject to review by the commission or its designee.*

3 *(4) The commission shall adopt regulations that establish a*
4 *grace period for receipt of the grade point average and any*
5 *appropriate corrections, and that set forth the circumstances under*
6 *which a student may submit a specified test score designated by*
7 *the commission, by regulation, in lieu of submitting a qualifying*
8 *grade point average.*

9 *(5) It is the intent of the Legislature that high schools and*
10 *institutions of higher education certify the grade point averages*
11 *of their students in time to meet the application deadlines imposed*
12 *by this chapter.*

13 *(d) (1) The school district or charter school shall, no later than*
14 *October 15 of a pupil's grade 12 academic year, notify, in writing,*
15 *each grade 12 pupil and, for a pupil under 18 years of age, his or*
16 *her parent or guardian that, pursuant to subdivision (a), the pupil*
17 *will be deemed a Cal Grant applicant unless the pupil opts out*
18 *within a period of time specified in the notice, which shall not be*
19 *less than 30 days. The required notice shall indicate when the*
20 *school will first send grade point averages to the commission. The*
21 *school district or charter school shall provide an opportunity for*
22 *the pupil to opt out of being automatically deemed a Cal Grant*
23 *applicant.*

24 *(2) (A) Until a pupil turns 18 years of age, only a parent or*
25 *guardian may opt the pupil out. Once a pupil turns 18 years of*
26 *age, only the pupil may opt himself or herself out and, if prior to*
27 *the conclusion of the notice period, the pupil may opt in over the*
28 *prior decision of a parent or guardian to opt out.*

29 SEC. 2. If the Commission on State Mandates determines that
30 this act contains costs mandated by the state, reimbursement to
31 local agencies and school districts for those costs shall be made
32 pursuant to Part 7 (commencing with Section 17500) of Division
33 4 of Title 2 of the Government Code.